

Panaji, 19th April, 1973 (Chaitra 29, 1895)

SERIES I No. 3

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Law and Judicial Department

Notification

LD/1318/73

The following notification received from the Government of India, Ministry of Labour and Rehabilitation (Department of Labour and Employment) is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 5th April, 1973.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

(Department of Labour and Employment)

(Shram Aur Rozgar Vibhag)

Notification

Dated New Delhi, Pin-110001 the 22-2-73

S. O. — Whereas the departmentally run Government of India presses under the Control of Ministry of Works and Housing (Chief Controller of Printing and Stationery New Delhi) specified in Schedule I annexed (Hereinafter referred to as the said establishments) have applied for exemption under clause (b) of sub-section (1) of section 17 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) (Hereinafter referred to as the said Act).

And Whereas the employees of the said presses are in enjoyment of benefit in the nature of provident funds, pension or gratuity and the Central Government is of opinion that such benefits are on the whole not less favourable to such employees than the benefits provided under Employees' Provident Fund Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to employees in any other establishment of a similar character.

Now, Therefore, in exercise of the powers conferred by Clause (a) of sub-section (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule II annexed hereto the Central Government hereby exempts the said presses from the operations of all the provisions of the said Scheme and in pursuance of sub-section (3) of the said section 17 the Central Government hereby directs that the employer in relation to the said presses shall pay within fifteen days of the close of the month to the Employee Provident Fund, Inspection charges at the rate of 0.09 percent (zero point zero nine percent) of the pay (basis wages, dearness allowance, retaining allowance, if any, and cash value of food concession admissible thereon) for the time being payable to the employees of the said presses who would have become members under the said Scheme but for this exemption.

SCHEDULE — I

1. Government of India Text Book Press, Chandigarh.
2. Government of India Text Book Press, Bhubaneswar.

SCHEDULE — II

1. The employer shall submit such returns to the Regional Provident Fund Commissioner as the Central Government may, from time to time, prescribe.
2. The employer shall furnish to each employee an annual statement of account or Pass Book.
3. All expenses involved in the administration of the fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations, payment of inspection charges etc. shall be borne by the employer.
4. Where an employee who is already member of the Employees' Provident Fund (Statutory Fund) or the Provident Fund of another exempted establishment is employed in his establishment the employer shall immediately enrol him as a member of the fund of the establishment, and accept the past accumulations in respect of such employee and credit to his account.
5. The employer shall enhance the rate of provident fund contribution appropriately if the rate of provident fund contribution for the class of establishments in which his establishment fall is enhanced under the Employees' Provident Fund and Family Pension Fund Act 1952 so that the benefits under the provident fund scheme of the establishment shall not become less favourable than the bene-

fits provided under the Employees' Provident Fund and Family Pension Fund Act, 1952.

6. Notwithstanding anything contained in the provident Fund rules of the establishment if the amount payable to any member, upon his ceasing to be an employee of the establishment or transferable on his transfer to any other establishment, by way of employers contributions plus interest thereon taken together with the amount, if any, payable under the Gratuity/Pension Rules be less than the amount that would be payable as employers and employees contribution together with interest thereon, if he were a member of the Provident Fund under the Employees' Provident Fund Scheme 1952 the employer shall pay the difference to the member as Compensation or Special Contribution.

7. Where employees are governed by the provisions of General Provident Fund Rules 1960 or Contributory Provident Fund Rules, 1962 (India) no amendment of the rules of the Provident Fund which will result in reduction of existing benefits whether directly or indirectly of such employees shall be made without consultation with the Department of Labour and Employment, Government of India.

8. No amendment of the rules of the provident fund shall be made without the previous approval of the Regional Provident Fund Commissioner. Where any amendment is likely to affect adversely the interests of the employees, the Regional Provident Fund Commissioner, shall before giving his approval give a reasonable opportunity to the employees to explain in their point of view.

[No. PF.II 5(5)/59]

Sd/-

DALJIT SINGH

Under Secretary

Notification

LD/1385/73

The following four notifications received from the Government of India, Ministry of Labour and Rehabilitation, Department of Labour and Employment, New Delhi are hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 6th April, 1973.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

Department of Labour and Employment

(Shram aur Rozgar Vibhag)

Dated New Delhi-110001 the 14th March, 1973

Notification

S. O. — In pursuance of section 8 of the Personal Injuries (Compensation Insurance) Act, 1963 (37 of

1963), the Central Government hereby makes the following Scheme further to amend the Personal Injuries (Compensation Insurance) Scheme, 1972, namely: —

- (1) This Scheme may be called the Personal Injuries (Compensation Insurance) Amendment Scheme, 1973.
- (2) It shall be deemed to have come into force on the 3rd December, 1971.
- (3) In the Personal Injuries (Compensation Insurance) Scheme, 1972, in form 'A' under the heading "Instructions" in instruction 8,
 - (i) for the figures, letters and words "31st March, 1972" the figures, letters and words "31st December, 1971" shall be substituted;
 - (ii) for the figures, letters and words "31st December, 1971" the figures, letters and words "30th September, 1971" shall be substituted.

(No. S. 19025/17/71-Fac)

Sd/-

LALFAK ZUALA

Under Secretary

Dated New Delhi-110001 the 14th March, 1973

23 Phalgun, 1894

Notification

G. S. R. — In exercise of the powers conferred by Section 6A read with sub-section (i) of section 7 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) the Central Government hereby makes the following Scheme further to amend the Employees' Family Pension Scheme, 1971, namely: —

1. *Short title and commencement.* — This Scheme may be called the Employees' Family Pension (Amendment) Scheme, 1973.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Family Pension Scheme, 1971 —

- (i) in paragraph 9, the following proviso shall be added to sub-paragraph (3), namely: —

"Provided that where in the case of —

- (a) the pay of a member employed in a newspaper establishment as defined in section 2 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) exceeds rupees one thousand two hundred and fifty, and
- (b) the pay of a member employed in an establishment other than the newspaper establishment referred to above exceeds rupees one thousand per month, the contribution payable by the member, and by the employer and the Central Government in respect of such member, shall be limited to the amount

payable on his pay per month (including dearness allowance cash value of any food concession and retaining allowance, if any actually drawn) of rupees one thousand two hundred and fifty in the case of the member employed in such newspaper establishment and rupees one thousand in the case of the member employed in an establishment other than the newspaper establishment.”;

(ii) in sub-paragraph (i) of paragraph 28 —

- (a) in the Table, after the words “pay of member per month”, the words “on which contribution to the Family Pension Fund is received” shall be inserted;
- (b) in the first paragraph of the Explanation, for the words “during that period”, the words “during the period for which contribution to the Family Pension Fund was recovered” shall be substituted.

(File No. S-70012/6/72-PF.II)

Sd/-

DALJIT SINGH
Under Secretary

New Delhi — 110001, the 15th March, 1973

Notification

G. S.R. — In exercise of the powers conferred by clause (b) of sub-section (3) of section 1 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952) The Central Government hereby specifies every mess, not being employing 20 or more persons as the class of establishments to which the said Act shall apply with effect from the 31st March, 1973.

Explanation. — Mess means a place where food is served on payment made or promised to be made.

(No. 4/11/65-PF.II)

Sd/-

DALJIT SINGH
Under Secretary

Dated New Delhi the 16th March, 1973

Notification

S. O. — In exercise of the powers conferred by section 3 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970), read with rule 3 of the Contract Labour (Regulation and Abolition) Central Rules, 1971, the Central Government hereby nominates Shri O. D. Sharma, vice Shri S. Yegneswaran, as member of the Central Advisory Contract Labour Board and makes the following further amendment in the notification of the Government of India in the Ministry of Labour and Rehabilitation

(Department of Labour and Employment) No. S. O. 5207, dated the 30th October, 1971, namely: —

In the said notification for serial No. 7 and the entry relating thereto, the following shall be substituted, namely: —

“7. Shri O. D. Sharma,
Manager (Industries Relations),
National Mineral Development Corporation,
Behind Gruhakalpa,
Mukarramjahi Road,
Hyderabad — 500001, (A.P.).

Sd/-

LALFAK ZUALA

Under Secretary to the Government of India.

[No. S. 16025(66)/72-LWI(I)].

Notification

LD/1398/73

The Seaward Artillery Practice (Amendment) Act, 1973 (3 of 1973) which was recently passed by Parliament and assented to by the President of India is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 6th April, 1973.

The Seaward Artillery Practice (Amendment) Act, 1973

AN

ACT

further to amend the Seaward Artillery Practice Act, 1949.

Be it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows: —

1. Short title and commencement. — (1) This Act may be called the Seaward Artillery Practice (Amendment) Act, 1973.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Substitution of new sections for section 3. — For section 3 of the Seaward Artillery Practice Act, 1949 (hereinafter 8 of 1949. referred to as the principal Act), the following sections shall be substituted, namely: —

“3. Power of Central Government to authorise seaward artillery practice. — (1) The Central Government may, by notification in the Official Gazette, authorise the carrying out of seaward artillery practice over such area and during such period or periods as may be specified in the notification:

Provided that there shall be an interval of at least fourteen days between the date of publication

of such notification in the Official Gazette and the date of carrying out of seaward artillery practice.

(2) The Central Government shall, as soon as may be, after the publication of a notification under sub-section (1), cause the substance thereof to be published —

(a) in some newspaper circulating in, and in the language commonly understood in, the area specified in the notification; and

(b) in such other manner as may be prescribed.

(3) If any question arises whether the substance of a notification under sub-section (1) was published as required by sub-section (2), a certificate by the Collector of the district in which the notified area is situate that the substance of the notification was so published, shall be conclusive.

3A. Power to delegate. — The Central Government may, by notification in the Official Gazette, direct that the power to issue notifications under section 3 shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by such State Government as may be specified therein."

3. Substitution of new section for section 9. — For section 9 of the principal Act, the following section shall be substituted, namely: —

"9. Power to make rules. — (1) The Central Government may, by notification in the Official Gazette, make rules for giving effect to the provisions of this Act and different rules may be made for different States or for different areas thereof.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(a) the manner in which the substance of a notification under section 3 may be published;

(b) regulating the use under this Act of the notified area for seaward artillery practice in such manner as to secure the public against danger, and to enable the practice to be carried out with the minimum inconvenience to the inhabitants of the area affected;

(c) the minimum rates at which compensation shall be payable under sub-section (3) of section 6, and generally regarding the making of claims for compensation, the procedure to be followed by the authorities granting the compensation, the expeditious settlement of claims and the filing of appeals from original awards of compensation;

(d) the principles to be followed in assessing the amount of compensation to be awarded under this Act;

(e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more succes-

sive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule."

Notification

LD/1478/73

The following notification received from the Government of India, Ministry of Home Affairs, New-Delhi, is hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 11th April, 1973.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi 110001, the 30th March, 1973

9 Chaitra, 1895

Notification

G. S. R. No. — In exercise of the powers conferred by section 9 of the Civil Defence Act, 1968 (27 of 1968), the Central Government hereby makes the following regulations further to amend the Civil Defence Regulations, 1968, namely: —

1. (1) These regulations may be called the Civil Defence (Amendment) Regulations, 1973.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Civil Defence Regulations, 1968, after regulation 5, the following regulation shall be inserted, namely: —

«5(A) Tenure — A candidate shall be enrolled as a member of the Corps under regulation 5 initially for a tenure of three years which may be extended more than once each time by a further period of three years».

[10/5/71-DGCD(CD)]

Sd/-.

B. R. PATEL

Joint Secretary to the Government of India.

Legislative Assembly of Goa, Daman and Diu

Legislature Department

LA/A/7/932/73

The following Bill which was introduced in the Legislative Assembly of Goa, Daman and Diu on

12th April, 1973 is hereby published for general information in pursuance of the provisions of Rule 127 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

THE GOA, DAMAN AND DIU APPROPRIATION BILL, 1973

(Bill No. 6 of 1973)

A Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the services and purposes of the financial year 1973-74.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-fourth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Goa, Daman and Diu Appropriation Act, 1973.

2. **Issue of Rs. 37,06,45,000 out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu for the financial year 1973-74.**—From and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu, there may be paid and applied sums not exceeding those specified in column 5 of the Schedule, amounting in the aggregate [inclusive of the sums specified in column 3 of the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1973 (Bill No. 5 of 1973)] to the sum of thirty seven crores, six lakhs and forty five thousand rupees, towards defraying the several charges which will arise for payment during the financial year 1973-74 in respect of the services and purposes specified in column 2 of the Schedule.

3. **Appropriation.**—The sums authorised to be paid and applied from and out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said financial year.

THE SCHEDULE

(See Sections 2 & 3)

No. of vote	Services and purposes	Sums Voted by Assembly	Sums Charged on the Consolidated Fund	Total
1	2	3	4	5
		Rs.	Rs.	Rs.
1.	Land Revenue ...	6,45,000	—	6,45,000
2.	State Excise Duties	11,00,000	—	11,00,000
3.	Taxes on Vehicles ...	3,70,000	—	3,70,000
4.	Sales Tax ...	3,80,000	—	3,80,000
5.	Other Taxes and Duties ...	1,80,000	—	1,80,000
6.	Stamps ...	30,000	—	30,000
7.	Registration Fees ...	5,30,000	—	5,30,000
—	Interest on Debt and Other Obligations	—	1,98,53,000	1,98,53,000
8.	Legislative Assembly ...	6,60,000	40,000	7,00,000

1	2	3	4	5
		Rs.	Rs.	Rs.
9.	General Administration ...	59,66,000	3,19,000	62,85,000
10.	Administration of Justice ...	11,40,000	3,00,000	14,40,000
11.	Jails ...	6,60,000	—	6,60,000
12.	Police ...	90,00,000	—	90,00,000
13.	Miscellaneous Departments ...	10,00,000	—	10,00,000
14.	Scientific and Education Departments ...	4,36,21,000	—	4,36,21,000
15.	Medical and Public Health Services ...	2,63,85,000	—	2,63,85,000
16.	Agriculture, Forest and Animal Husbandry ...	1,07,37,000	—	1,07,37,000
17.	Cooperation and Community Development ...	33,86,000	—	33,86,000
18.	Industries and Labour ...	24,75,000	—	24,75,000
19.	Miscellaneous, Social and Developmental Organisations ...	55,73,000	—	55,73,000
20.	Irrigation, Navigation, Embankment and Drainage Works and Electricity Schemes ...	1,83,85,000	—	1,83,85,000
21.	Public Works ...	1,53,50,000	85,000	1,54,35,000
22.	Road and Transport Schemes (including Ports and Pilotage) ...	31,40,000	—	31,40,000
23.	Pensions and Other Retirement Benefits ...	36,86,000	—	36,86,000
24.	Stationery and Printing ...	20,00,000	—	20,00,000
25.	Miscellaneous (including Miscellaneous Compensations and Assignments) ...	54,90,000	—	54,90,000
26.	Capital Outlay on Improvement of Public Health ...	75,00,000	—	75,00,000
27.	Capital Outlay on Schemes of Agricultural Improvement and Research ...	88,60,000	—	88,60,000
28.	Capital Outlay on Industrial and Economic Development ...	26,64,000	—	26,64,000
29.	Capital Outlay on Irrigation and Electricity Schemes ...	4,47,86,000	—	4,47,86,000
30.	Capital Outlay on Public Works ...	2,74,34,000	—	2,74,34,000
31.	Capital Outlay on Other Works ...	33,02,000	—	33,02,000
32.	Capital Outlay on Road and Transport Schemes (including Ports) ...	90,40,000	—	90,40,000
33.	Capital Outlay on Forests ...	13,83,000	—	13,83,000
34.	Capital Outlay on Schemes of Government Trading ...	5,81,21,000	—	5,81,21,000
—	Repayment of Debt	—	1,57,15,000	1,57,15,000
35.	Loans and Advances	93,54,000	—	93,54,000
TOTAL		33,43,33,000	3,63,12,000	37,06,45,000

Financial memorandum

Provision is made in the Bill to appropriate for the services and purposes expressed in the Schedule during the financial year 1973-74 a sum of Rs. 37,06,45,000/-. This amount consists of Rs. 18,24,86,000/- on Revenue Account and Rs. 18,81,59,000/- on Capital Account including Public Debt and Loans and Advances and includes also the sums specified in the Schedule to the Goa, Daman and Diu Appropriation (Vote on Account) Bill, 1973 (Bill no. 5 of 1973) passed by this Assembly on 20th March, 1973.

Statement of objects and reasons

The Budget for the year 1973-74 was presented to the Legislative Assembly on 16th March, 1973.

The Demands for Grants have since been discussed and voted by the Assembly. This Appropriation Bill is, therefore, introduced in accordance with the provisions of sub-Section (1) of Section 29 of the Government of Union Territories Act, 1963, to provide for the appropriation out of the Consolidated Fund of the Union Territory of Goa, Daman and Diu of the moneys required for the services during the financial year 1973-74.

The Administrator, has in pursuance of sub-Section (1) of Section 23 of the Act *ibid*, recommended to the Legislative Assembly, the introduction and consideration of the Bill.

Panaji,

April 12, 1973. DAYANAND B. BANDODKAR
Chaitra 22, 1895. Chief Minister